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FMCS Conflict Resolution Week 2022

MOCK EEO COUNSELING

Produced by the FMCS Equal Employment Opportunity Office



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Poll #1 What is your current role?

- Union Representative
- Management Representative
- Attorney (Union/Management)
- EEO and/or DEIA professional

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Disclaimer

- This mock EEO Counselor is for illustrative purposes only of the federal EEO process
- The characters and fact patten are fictional
- Processes and procedures vary between agencies businesses; please consult with your agency Equal Employment Opportunity or Human Resources Office
- Different laws and rules govern depending on oversight entity

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Learning Objectives

- To gain a deeper understanding of what happens during a traditional counseling session, which is an option an aggrieved party may choose during the informal Equal Employment Opportunity process (EEO).
- To better understand your rights and responsibilities in the EEO process.
- To understand the parties to a dispute in the EEO process.
- To dispel any myths or negative stigmas associated with the process.
- To understand the benefits of early resolution of complaints

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Run of Show

- Mock EEO Counseling Session
 - Scene 1: "I feel I have been discriminated against, Where do I Go?"
 - Scene 2: "Does the Responsible Management Official have an opportunity to participate?"
 - Scene 3: "Does the Agency have an opportunity to participate?"
 - Scene 4: "Can We Agree?"
- Question and Answer
- Final Reflections from Panelists

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Characters

- Narrator: Karen Crump-Wilson 
- EEO Counselor: Ebony Jarrett
- Aggrieved Party: Shiri Ndang 
- Responsible Management Official: Marisa Marinos 
- Settlement Official: Laquetta Jones Bigelow 

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Scene 1

“I feel I have been discriminated against, Where do I Go?”



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EEO Process and Primary Resources

- 29 CFR 1614 Federal Sector Equal Employment Opportunity
- EEOC Management Directive 110
- To learn more about the full EEO Complaint Process:
 - Example flowchart from National Archives:
<https://www.archives.gov/files/flowchart-revised-eeo-complaints-process.jpg>
 - <https://www.eeoc.gov/publications/federal-eeo-complaint-processing-procedures>

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Poll #2 What are the basis(es) of discrimination?

- Race
- Religion
- Color
- Sex (including pregnancy, gender identity and sexual orientation)
- National Origin
- Age
- Genetic Information
- Disability
- Retaliation

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Poll #3 What are the possible issue(s)?

- nonselection
- detail
- reassignment
- reprimand
- assignment of duties
- awards
- time and attendance
- separation/termination
- performance appraisal
- other

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Scene 2

“Does the Responsible Management Official have an opportunity to participate?”



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Poll #4 Can the EEO Counselor collect and review documents?

- Yes
- No

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Scene 3

“Does the Agency have an opportunity to participate?”



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Poll #5 Can a dispute be settled in the informal process?

- No
- Yes, but only if ADR is elected
- Yes, resolution can occur at any stage of the EEO process, including during traditional counseling with the EEO Counselor, up to final adjudication?

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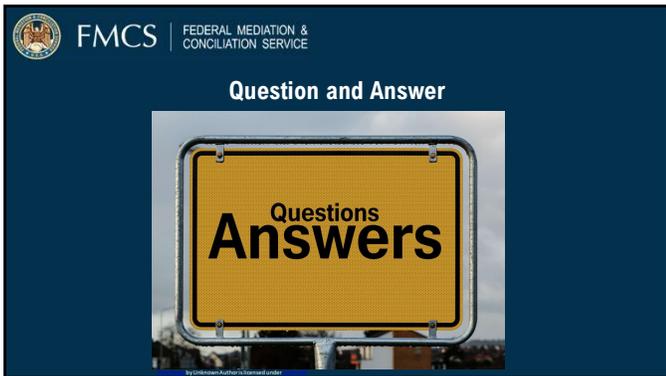
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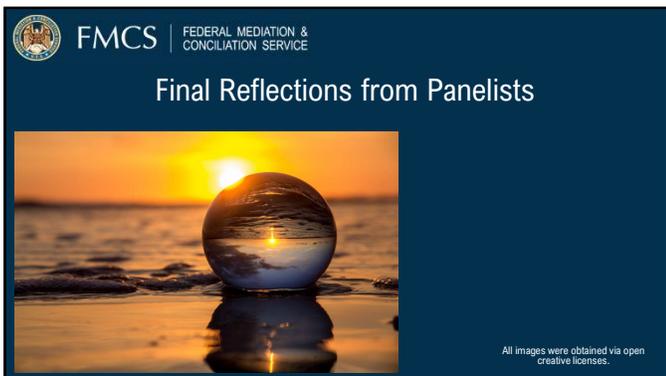
Scene 4

“Can we agree?”

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